

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 1-10 and 12-14 are pending in this application of which claims 1, 9, 10 and 12-14 are independent. All of the pending claims stand rejected. By this amendment, claims 1, 9, 10 and 12-14 are amended. No new matter has been added by this amendment.

IDS

Applicant respectfully request that an initialed form PTO-1149 submitted as an IDS on May 9, 2008 be returned in due course, e.g., with a next Office Action.

Rejection under 35 U.S.C. §112

The Office Action indicates that the term "the subject" in claims 1, 9, 10 and 12-14 has no antecedent basis. In response, the term has been deleted in claims 1, 9, 10 and 12-14 as shown above.

Reconsideration and withdrawal of the rejections of claims 1, 9, 10 and 12-14 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Rejection under 35 U.S.C. §102

Claims 1-10 and 12-14 have been rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,583,813 to Enright et al., ("Enright"). In the *Response to Arguments* section of the Office Action, the Examiner indicates, *inter alia*, that:

...the examiner can broadly consider "the subject" as being anything from the following as seen in figures 67-68 and 72 the subject can be considered the actual image or the text box where the text is entered or the heading of "Capture Time:" or "Event Type:" Also, the image sensed and text data is edited when it is inserted into the E-mail as shown in figures 67-68 and 72 since the image sensed

and text data when inserted in the E-mail is formatted for the E-mail. [pages 3-4 of the Office Action]

Claims 1, 9, 10 and 12-14 have been amended for further clarification. In particular, amended claim 1 recites, *inter alia*, "converting means for converting format of the sensing time information into text data format for specifying the sensing time information with converted text data; ... wherein said converting means edits the sensed image and the converted text data in such a way that the converted text data are represented as a title of the electronic mail." Other claims (i.e., claims 9, 10 and 12-14) are amended in a similar manner to claim 1 described herein. Support for the amendments may be found, e.g., paragraphs [0153] through [0159] along with Figs. 22 and 23 of the corresponding published application (i.e., U.S. Publ. No. 2004/0150722 A1).

One of the aspects of the image sensing apparatus of the present invention as featured in amended claim 1 "converts" the format of the sensing time information into text data format for specifying the sensing time information with converted text data. The image sensing apparatus of amended claim 1 then "edits" the sensed image and the converted text data (i.e., sensing time information) in such a way that the converted text data are represented as a title of the electronic mail.

Date : Fri, 29 Mar 2002 18:56:56 JST
From : camera@xx.com
To : receive@xx.com
Subject : PHOTOGRAPHY AT SET TIME 07:00

For example, referring to Fig. 22 of the present application as shown above, the image sensing apparatus as recited in amended claim 1, after converting the format of the sensing time information into text data format, the puts the converted sensing time information (i.e., 07:00) into the "Subject" field of the created electronic mail thereby representing the converted sensing time information as a "title" of the electronic mail. With this feature of the present invention, a recipient of the electronic mail can view the title (e.g., subject) of the electronic mail even before fully opening the electronic mail allowing the recipient to know the sensing time of the image immediately. See, e.g., paragraph [0158] of the corresponding published application.

Enright discloses a system (328), such as an automated banking machine, is equipped with data capture devices, which capture data in response to a triggering event. See, e.g., col. 39, lines 16-44 of Enright. The system then transmits an email containing captured data to a previously-designated address. See, e.g., col. 36, lines 17-65 of Enright. In particular, Applicant notes that a portion of Enright describes that "[s]uch emails may also include information about the nature of the triggering event." (col. 36, lines 45-46).

However, Applicant believes that Enright fails to teach the present invention as discussed above including, e.g., the features that "converts" the format of the sensing time information into text data format and "edits" the sensed image and the converted text data (i.e., sensing time information) in such a way that the converted text data are represented as a title of the electronic mail as specifically recited in amended claim 1. Applicant notes that although Enright teaches sending emails to a single or multiple recipients, it simply fails to teach how to create an email by converting the data format of the sensing time information to represent the converted data as a title of the email as required by the amended claim 1. For example, Fig. 67 of Enright as shown

below merely shows a screen shot presented at a user terminal showing an image output, i.e., there is simply nothing in the figure that teaches the present invention as discussed above.



Accordingly, each of claims 1, 9, 10 and 12-14 as amended is believed neither anticipated by nor rendered obvious in view of the cited reference for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 9, 10 and 12-14 under 35 U.S.C. §102(e) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited document from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited document is, in fact, prior art. Also, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims as amended, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

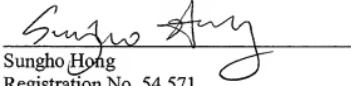
AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5116). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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Dated: August 7, 2008

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